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FORM PTO-1390 (REV 10-95) U S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY DOCKET NUMBER: 15675p388

U.S. APPLICATION NO (If known, see 37 CFR 1 5): 10/030571

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
WO 01/03500 - PCT. FR00 0197	JULY 7, 2000	July 7, 1999

TITLE OF INVENTION
DEVICE FOR TATTOOING ANIMALS

APPLICANT(S) FOR DO/EO/US
Jean-Pierre Chanet; Thierry Humbert; Jean-Paul Landrevie

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U S C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b)) and PCT articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
   a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
   b. ☐ has been transmitted by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
   a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau)
   b. ☐ have been transmitted by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
    ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A subsequent specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

copy of preliminary examination report; copy of hte english translation of the preliminary examination report; forms pct/ib 301, 304; pct filing receipt; request for priority; 3 sheets, 4 figures formal drawings; transmittal of formal drawings.

US

U.S. APPLICATION NO (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO	ATTORNEY'S DOCKET NUMBER
10/030571	WO 01/03500	15675p388

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

		CALCULATIONS FOR PTO USE ONLY
Neither international preliminary examination fee (37 CFR 1.482 nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by EPO or JPO	$1040.00	
International preliminary examination fee (37CFR1.482)not paid to USPTO but International Search Report prepared by the EPO or JPO....	$890.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee paid to USPTO (37 CFR 1.445(a)(2))	$740.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)	$710.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	$100.00	

ENTER APPROPRIATE BASIC FEE AMOUNT =				$	890.00
Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				$	
CLAIMS	NUMBER FILED		NUMBER EXTRA	RATE	
Total claims	8	- 20 =	0	X $18.00	$ 0.00
Independent claims	1	- 3 =	0	X $84.00	$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ $280.00	$
TOTAL OF ABOVE CALCULATIONS =				$	890.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also by filed (Note 37 CFR 1.9, 1.27, 1.28).				$	
SUBTOTAL =				$	890.00
Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				$	
TOTAL NATIONAL FEE =				$	890.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3 31). **$40.00** per property +				$	
TOTAL FEES ENCLOSED =				$	890.00
				$ Amount to be: refunded	$
				charged	$

a. ☒ A check in the amount of $ 890.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of $_____ to cover the above fees
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 022666 . A duplicate copy of this sheet is enclosed

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO

Blakely, Sokoloff, Taylor & Zafman LLP
12400 Wilshire Blvd. 7th Floor
Los Angeles, CA 90025-1026

SIGNATURE

Eric S. Hyman
NAME

30,139
REGISTRATION NUMBER

A DEVICE FOR TATTOOING ANIMALS

The present invention relates to a device for tattooing animals.

It is particularly, but not exclusively, adapted to tattooing piglets.

The most widespread method of tattooing piglets for identification purposes consists in using an instrument that is generally in the form of a hammer, with the end of the instrument being provided with a support for tattooing characters.

The characters are formed by juxtapositions of needles.

To make a tattoo, the needles are initially inked by applying them against a sponge that has previously been impregnated in ink.

It will be understood that the quality of the tattoo depends on the somewhat random quantity of ink that comes into contact with the needles. The amount of ink that is transferred is relatively little if the ink in or on the sponge has begun to dry.

In addition, depending on the technique and the skill of operators, the amount of pain inflicted on animals by the strike itself can be greater and more traumatic than the pain generated by the needles penetrating into the skin.

Since tattooing is done "on-the-fly", the zone of impact on the skin of the animals is never exactly the same.

A device is also known that is in the form of a pistol which comprises a punch carrying characters, likewise comprising needles, and associated with the rod of an actuator. When the rod is extended, the punch is subjected to the same displacement, thus enabling it to perform tattooing.

The needles are inked in the same manner as before, i.e. by previously pressing the needles against a sponge.

The "pistol" therefore needs to be used twice over, thus making it more likely that the ink will dry.

In addition, because of the rapid movement of the actuator rod, the ink tends to migrate towards the roots of the needles, so the marked characters are not very visible at the surface of the animal's skin.

Document DE—A—1 607 112 relates to improvements to devices for marking animals. That device comprises a head connected to an oscillating arm and provided with a series of needles.

In the embodiment of Figures 2 and 3, ink is conveyed via a tube to a dispenser piece which communicates with a porous mass.

The arm is guided in a sheath, such that the actuator mechanism of the head is similar to that of an actuator.

As shown in the above-specified figures, when not performing a tattooing operation, the needles are fully housed inside the mass which is designed to be compressible, and they only come out therefrom for the purpose of tattooing.

Document GB—A—2 234 420 discloses a tattooing device with a vibrating head, fitted with a series of needles.

It is stated that a mass of absorbent material, attached to the head, can be fed with ink. When the head is subjected to vibratory motion, the needles pass through the material and pick up ink. They are then immediately returned to the inside of the material and again directed towards the skin of the animal.

The devices described in those documents enable the problems raised above to be resolved in part.

Nevertheless, the moving members they comprise are not genuinely separate from the element that carries the needles. There is thus a high risk of the ink migrating towards these moving members, and that runs the risk of interfering with proper operation thereof.

The present invention therefore seeks to provide a tattooing device which in addition to providing a solution to the above-mentioned problems, also makes it possible to perform tattooing without the ink migrating towards moving parts.

The tattooing device can be used for marking animals without it being necessary to begin by inking the needles.

It makes it possible to perform tattooing of constant quality, without giving rise to significant trauma in animals.

The device of the present invention comprises a device for tattooing animals, the device comprising a moving needle-carrier plate whose needles are designed to be covered in ink and to press, at the end of the stroke of the plate, against the skin of an animal in order to tattoo it, and a spongy pad soaked in ink lying on the path of the needles and suitable for being pierced by the needles so that they project against the skin of the animal at the moment of impact.

It is characterized by the fact that said pad is integrated with the plate, the assembly being moved by a hammer housed in a guide barrel, and that said plate is secured to the outside face of a resilient diaphragm which closes one end of said barrel.

By means of this device, the needles are covered in ink at the moment they pass through the pad. There is no risk of the ink drying out and it is distributed uniformly over the entire surface of the needles as they pass through the body of the pad. Consequently, marking can be made to constant quality.

Furthermore, because the plate is secured to a resilient diaphragm which closes one end of the barrel, complete sealing is provided between said plate and the moving members.

According to other advantageous but non-limiting characteristics of the device:

· the inside face of the diaphragm is secured to an anvil suitable for being struck by said hammer;

· the slider, respectively the hammer, are secured to the rod of an actuator;

· said pad is connected to ink-feeder means;

· said feeder means comprise a storage receptacle connected to said pad via a flow tube;

· said receptacle is placed in such a manner that the flow of ink towards the pad takes place under gravity; and

· said tube communicates with said pad, the pad being compressible so that it becomes impregnated with ink each time it expands to its initial non-compressed shape after being subjected to an impact.

Other characteristics and advantages of the present invention will appear on reading the following description of various particular embodiments. The description refers to the accompanying drawings, in which:

· Figure 1 is a partially cutaway side view of a tattooing device that operates in accordance with the state of the art;

· Figure 2 is a fragmentary side view, also partially cutaway, showing a device in accordance with the invention;

· Figure 3 is a front view of the needle-carrying plate of the Figure 2 device; and

· Figure 4 is a view analogous to Figure 2, to show how the device of the invention is used for tattooing.

The device 1 in Figure 1 operates in a manner substantially similar to that of the state of the art mentioned above, and has the general appearance of a pistol.

It comprises a handle or grip 2, having a trigger 20 hinged near the top thereof.

A cylindrical body 3 extends perpendicularly to the grip and constitutes the cylinder of a double-acting actuator 30.

This actuator is preferably pneumatically driven and air is brought thereto via a tube (not shown) received in the hollow inside volume of the grip. Figure 1 shows an endpiece 21 secured to said tube and projecting from the bottom end of the grip, thus enabling it to be connected to a source for feeding compressed air.

The rod 31 of the actuator 30 extends inside a cylindrical barrel 5 which extends the body 3.

Pressure applied on the trigger 20 causes the rod of the actuator to be extended.

The rod 31 is fixed via a coupling piece to a plate 4 carrying needles 41. The shape of the plate is suitable for enabling it to slide inside the barrel. It comprises a generally cylindrical part whose diameter corresponds to the inside diameter of the barrel 5 (ignoring clearance).

A spline 51 is fixed longitudinally inside the barrel 5 to guide the plate 4 as it moves in translation therein. To this end, said plate is provided with a notch for receiving the spline.

Needle supports 40 of T-shaped profile are received in grooves of complementary shape provided in the needle carrier 4.

Around the free end of the barrel that is remote from the actuator, there is fixed an annular piece 52 which serves as a support for a spongy pad 6 such as a sponge. The pad is in the form of a thick disk whose diameter corresponds to the outside diameter of the annular piece 52. The pad 6 thus closes the free end of the barrel.

The top portion of the barrel 5 carries a curved mounting piece 50 serving to support ink-feeder means 7.

These means comprise an ink storage receptacle 70 provided with an adjustment cock 73 of conventional type.

the ink contained in the container flows under gravity via a tube 72 whose free end co-operates with an endpiece 74, itself engaged in an opening passing through the annular piece 52. Ink thus flows via the tube 72 and is absorbed by the spongy pad 6.

The structure of the device of the invention as shown in Figure 2 is quite similar to that described above.

This means that the device comprises a grip 2, an actuator body 3, a barrel 5, and ink-feeder means 7.

Nevertheless, it differs in the following respects.

The actuator rod 31 carries a hammer-forming piece 8 at its free end that is somewhat bullet-shaped, i.e. it has a projecting central portion.

A washer 90 and a screw (not shown) serves to fix a resilient diaphragm 9 to the annular piece 52, thereby closing the free end of the barrel. By way of example, the diaphragm is made of rubber.

On its inside face 91, i.e. on its face looking towards the inside of the barrel 5, the diaphragm has an anvil-forming piece 8', whereas its opposite face carries a needle-carrying plate 4.

The anvil 8' is solid and its face looking towards the hammer 8 is shaped with a depression that is substantially complementary to the shape of the hammer.

The needle-carrier plate 4 is in the form of a disk 45 with a projecting portion 46.

Figure 3 shows holes 43 for receiving screws that pass through the thickness of the diaphragm 9 and engage in the anvil, thus pinching the diaphragm. These holes are formed in the bottoms of T-shaped grooves 42 formed in the projecting portion 46 and suitable for receiving needle supports (not shown).

In this embodiment, the plate 4 carries a spongy pad 6 which is fixed thereto by a series of peripheral studs 44 of triangular shape.

The coupling 74 fitted to the ink flow tube opens out directly into the pad 6.

The way in which the device of the invention is used to tattoo an animal is described below.

In a first step, the pad 6 is pressed against the skin P of the animal to be tattooed, in the zone where it is desired to make a tattoo (see Figure 2).

Thereafter, the trigger 20 is squeezed so as to cause the rod 31 of the actuator to extend inside the barrel 5. This causes the hammer 8 to strike against the rear face of the anvil 8' so that the diaphragm 9 deforms axially (Figure 4).

As a result, the needles 41 of the plate pass through the pad 6 while also compressing it. During this operation, it is the entire surface of each needle that becomes coated in ink, and the sharp tips thereof provide high quality marking.

When the trigger 20 is released, the rod 31 of the actuator is withdrawn progressively, so that the pad 6 returns to its initial expanded shape. This creates suction inside the pad serving to suck in the ink contained in the tube 72. This ensures that the pad continues to be impregnated in ink.

The ink in the pad is thus renewed regularly, thereby making it possible to perform repeated marking under constant-quality conditions.

In addition to enabling tattooing to be performed with constant quality, the structure of the device of the invention also makes it possible, because of the presence of the diaphragm 9, to ensure that the moving parts (rod 31 and hammer 8) are completely separate from the plate 4. It is thus not possible for ink to migrate into the device.

CLAIMS

1/ A device for tattooing animals, the device comprising a moving needle-carrier plate (4) whose needles (41) are designed to be covered in ink and to press, at the end of the stroke of the plate, against the skin (P) of an animal in order to tattoo it, and a spongy pad (6) soaked in ink lying on the path of the needles (41) and suitable for being pierced by the needles so that they project against the skin (P) of the animal at the moment of impact, the device being characterized by the fact that said pad (6) is integrated with the plate (4), the assembly being moved by a hammer (8) housed in a guide barrel (5), and that said plate (4) is secured to the outside face (92) of a resilient diaphragm (9) which closes one end of said barrel (5).

2/ A device according to claim 1, characterized by the fact that the inside face (91) of the diaphragm (9) is secured to an anvil (8') suitable for being struck by said hammer (8).

3/ A device according to claim 1 or claim 2, characterized by the fact that the slider (4), respectively the hammer (8), are secured to the rod (31) of an actuator (3).

4/ A device according to any one of claims 1 to 3, characterized by the fact that said pad (6) is connected to ink-feeder means (7).

5/ A device according to claim 4, characterized by the fact that said feeder means (7) comprise a storage receptacle (70) connected to said pad (6) via a flow tube (72).

6/ A device according to claim 5, characterized by the fact that said receptacle (70) is placed in such a manner

that the flow of ink towards the pad (6) takes place under gravity.

7/ A device according to claim 6, characterized by the fact that said tube (72) communicates with said pad (6), the pad being compressible so that it becomes impregnated with ink each time it expands to its initial non-compressed shape after being subjected to an impact.

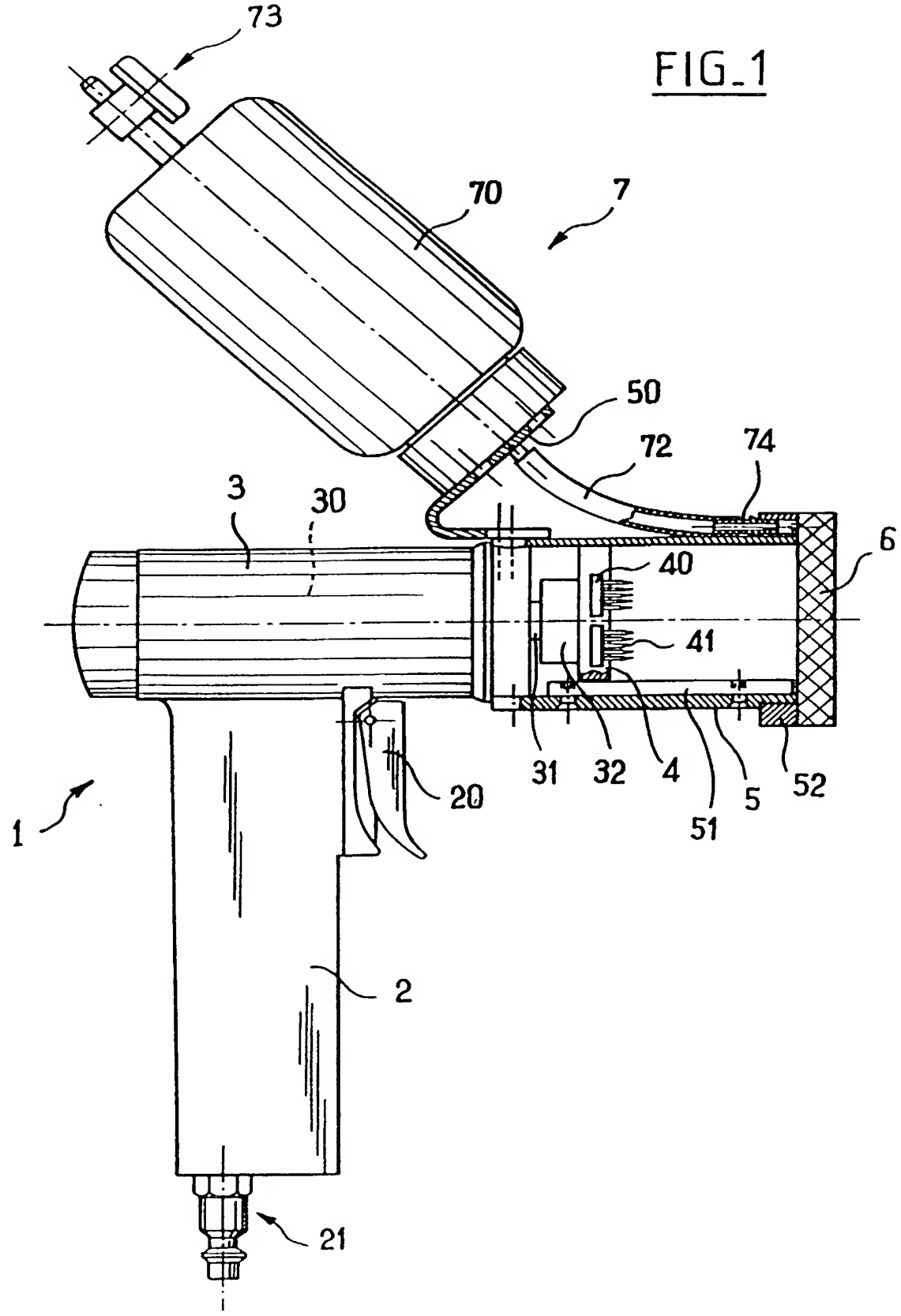
A B S T R A C T

A DEVICE FOR TATTOOING ANIMALS

The present invention provides a device for tattooing animals, the device comprising a moving needle-carrier plate (4) whose needles (41) are designed to be covered in ink and to press, at the end of the stroke of the plate, against the skin (P) of an animal in order to tattoo it, and a spongy pad (6) soaked in ink lying on the path of the needles (41) and suitable for being pierced by the needles so that they project against the skin (P) of the animal at the moment of impact. It is remarkable in that said pad (6) is integrated with the plate (4), the assembly being moved by a hammer (8) housed in a guide barrel (5), and that said plate (4) is secured to the outside face (92) of a resilient diaphragm (9) which closes one end of said barrel (5).

Translation of the title and the abstract as they were when originally filed by the Applicant. No account has been taken of any changes that may have been made subsequently by the PCT Authorities acting ex officio, e.g. under PCT Rules 37.2, 38.2, and/or 48.3.

FIG_1



WO 01/03500 PCT/FR00/01973

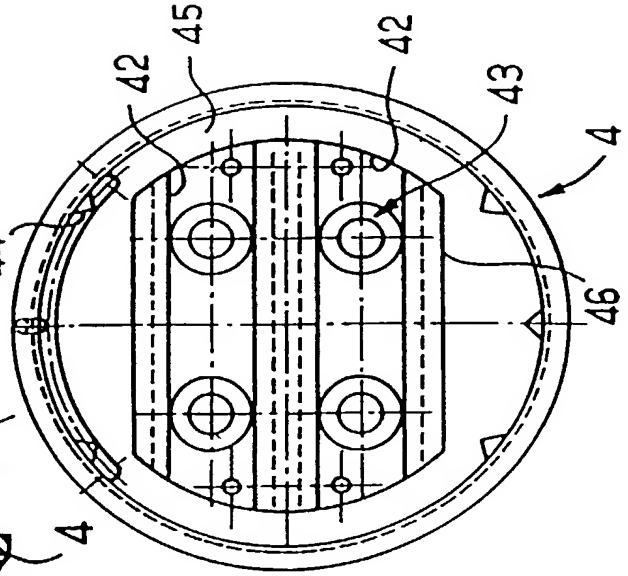


FIG.3

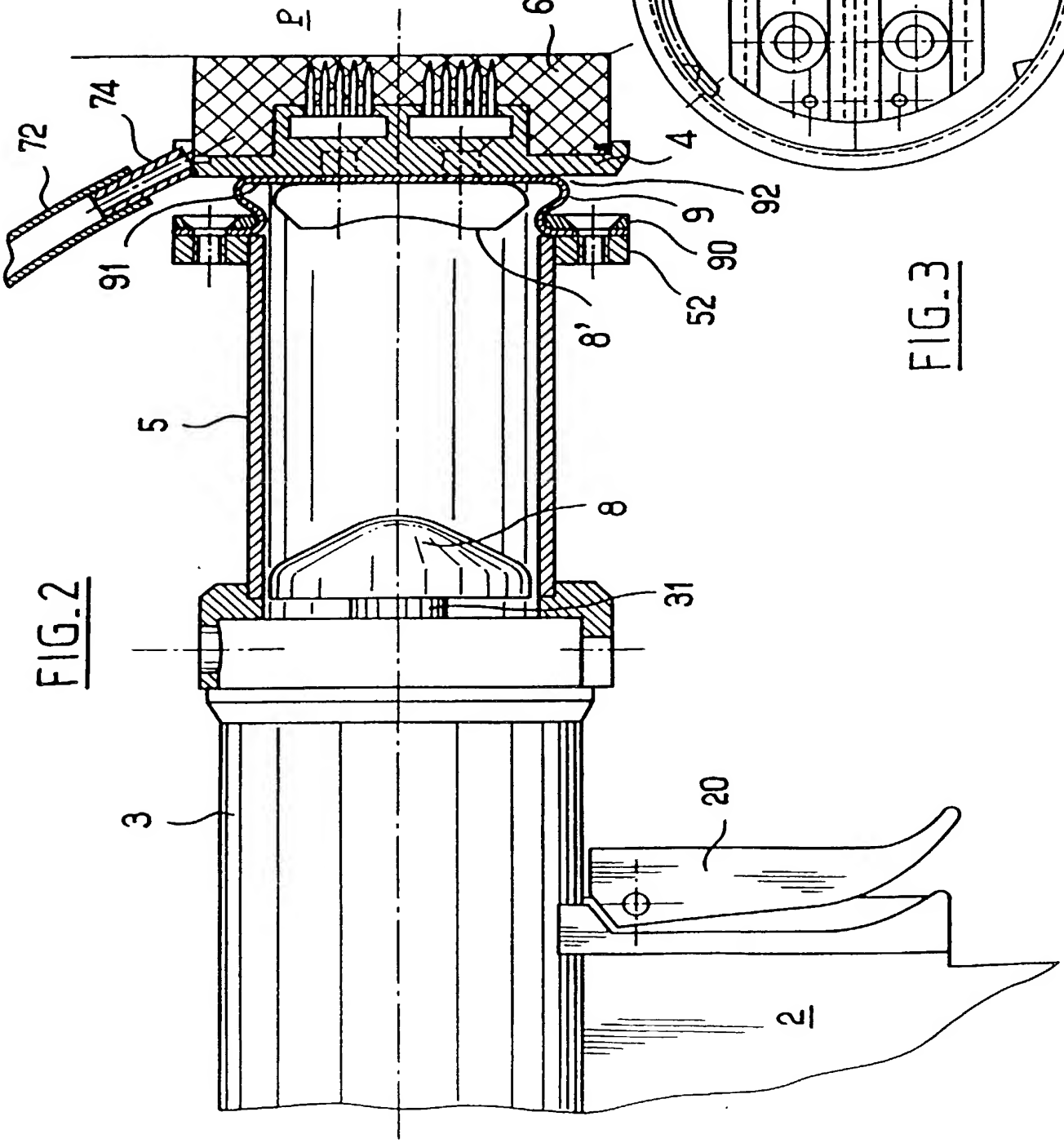


FIG.2

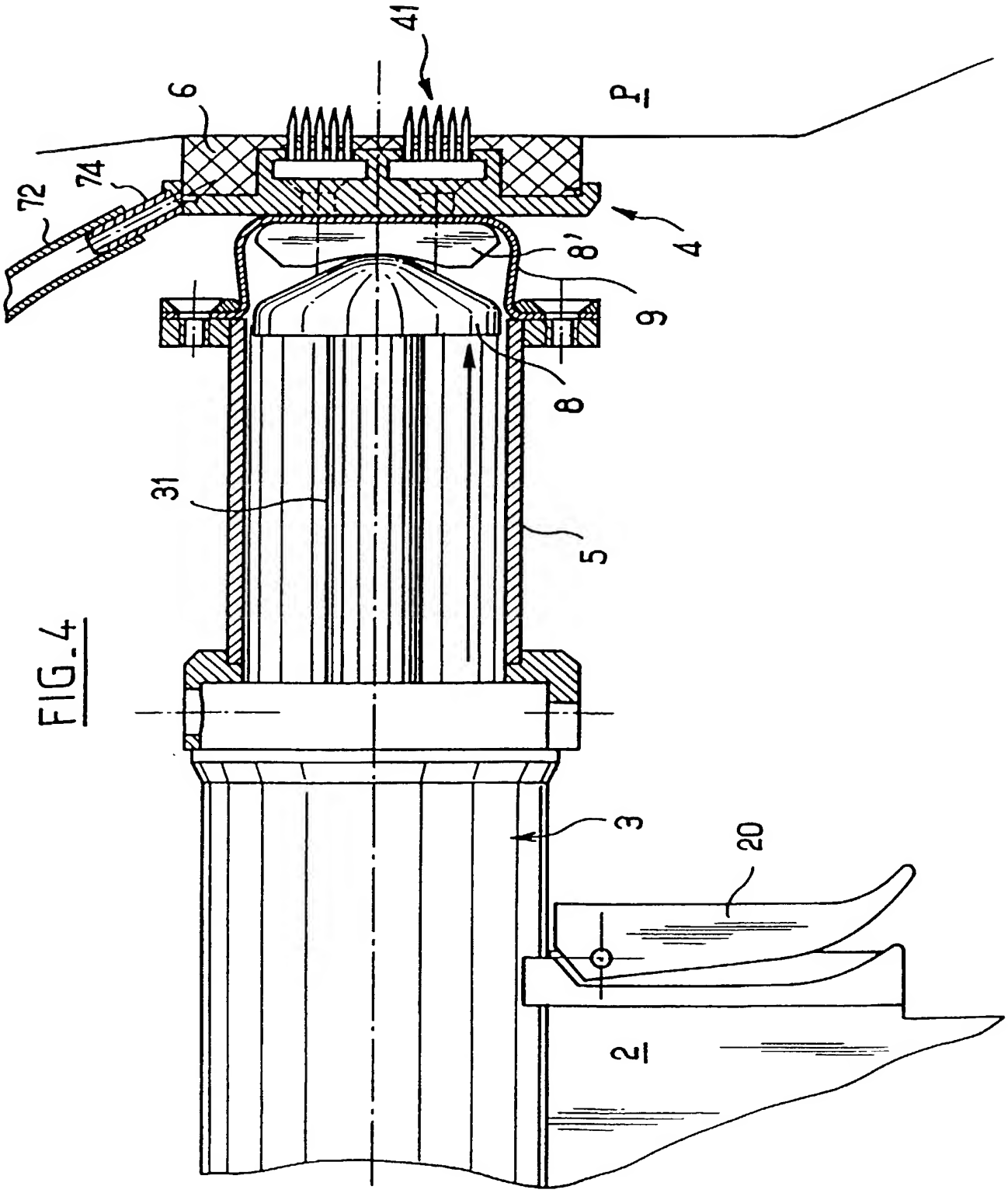


FIG.4

Our ref.: 15675.P388

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
DEVICE FOR TATTOOING ANIMALS

the specification of which

is attached hereto
was filed on July 7, 2000 as
Application Serial No. PCT/FR00/01973
And was amended on
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 199, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			**Priority Claimed**	
99 09042	**FRANCE**	**07/07/1999**	**X**	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)
PCT/FR00/01973	07/07/2000	pending
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby appoint BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, a firm including : Keith G. Askoff, Reg. No. 33,828; Aloysius T.C. AuYeung, Reg. No. 35,432; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr.; Reg. No. 25,831; Timothy R. Croll, Reg. No. 36,771; Daniel M. De Vos, Reg. No. 37,813; Scott A. Griffin, Reg. No. 38,167; Stephen D. Gross, Reg. No. 31,020; David R. Halvorson, Reg. No. 33,395; Michael D. Hartogs, Reg. No. 36,547; Brian D. Hickman, Reg. No. 35,894; George W. Hoover II, Reg. No. 32,992; Paul H. Hostmann, Reg. No. 36,167; Eric S. Hyman, Reg. No. 30,139; Dag H. Johansen, Reg. No. 36,172; Stephen L. King, Reg. No. 19,180; Joseph T. Lin, Reg. No. 38,225; Michael J. Mallie, Reg. No. 36,591; James D. McFarland, Reg. No. 32,544; Anthony C. Murabito, Reg. No. 35,295; Kimberley G. Nobles, Reg. No. 38,255; Ronald W. Reagin, Reg. No. 20,340; Kent R. Richardson, Reg. No. P-39,443; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. P-39,018; James C. Sheller, Reg. No. 31,195; Edward W. Scott IV, Reg. No. 36,000; Maria E. Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Allan T. Sponseller, Reg. No. 38,318; John C. Stattler, Reg. No. 36,285; Edwin H. Taylor, Reg. No. 25,129; Lester J. Vincent, Reg. No. 31,460; Ben J. Yorks, Reg. No. 33,609; and Norman Zafman, Reg. No. 26,250; my attorneys; and William D. Davis, Reg. No. 38,428; Gary B. Goates, Reg. No. 35,159; Soyeon P. Laub, Reg. No. P-39,266; Thomas X. Li, Reg. No. 37,079; and Edwin A. Sloane, Reg. No. 34,728; my patent agents, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith. (41)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's Signature: [signature] Date: 22/04/2002

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Full Name of Fourth/Joint Inventor:

Inventor's Signature:

Date:

Residence:
(City, State)

Citizenship:
(Country)

Post Office Address: